



General Assembly

February Session, 2012

Amendment

LCO No. 3459

SB0039303459SR0

Offered by:

SEN. MCKINNEY, 28th Dist.

SEN. FASANO, 34th Dist.

To: Senate Bill No. 393

File No. 337

Cal. No. 262

**"AN ACT CONCERNING REPAYMENT OF STATE AID BY A
RECIPIENT WHOSE DEATH IS CAUSED BY THE STATE'S
NEGLIGENCE."**

1 After line 68, add the following and reletter the remaining
2 subsection and internal references accordingly:

3 "(e) Subject to the provisions of this section and sections 17b-94 to
4 17b-96, inclusive, in any civil action, whether in tort or in contract,
5 wherein a claimant, who is or was a public assistance beneficiary,
6 seeks to recover damages resulting from wrongful death, wherein
7 liability is admitted or is determined by the trier of fact and damages
8 are awarded to compensate the claimant, the court shall reduce the
9 amount of such award which represents economic damages, as
10 defined in subdivision (1) of subsection (a) of section 52-572h, by an
11 amount equal to the total amount determined under subsection (f) of
12 this section to have been paid to or on behalf of the claimant. Any such
13 reduction shall be in addition to the reduction permitted under section
14 52-225a.

15 (f) Upon a finding of liability and an awarding of damages by the
16 trier of fact and before the court enters judgment, the court shall
17 receive evidence from the claimant and other appropriate persons
18 concerning the total amount of public assistance which has been paid
19 for the benefit of the claimant as of the date the court enters judgment.

20 (g) For purposes of this section, "public assistance beneficiary"
21 means a beneficiary of aid under the state supplement program,
22 medical assistance program, aid to families with dependent children
23 program, temporary family assistance program or state-administered
24 general assistance program."